

**U.S. House of Representatives
Committee on Homeland Security
Hearing on the WMD Prevention and Preparedness Act of 2011
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Statement from Dr. Robert P. Kadlec
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Mr. Chairman and distinguished Members, I am speaking today as a private citizen having had the privilege and opportunity to be one of the three individuals who served as the Special Assistant and Senior Director for Biodefense Policy during President George W. Bush's Administration. Retired Admiral (Dr.) Kenneth Bernard was the first and Dr. Rajeev Venkayya was the second. Dr. Bernard had the singular privilege of being the Special Advisor to the President's National Security on the National Security Council during the second term of President Clinton's Administration. All three of us had the principle responsibility to ensure that the Federal government worked as one in its domestic preparedness efforts for deliberate biological attacks and natural pandemics.

I welcome the opportunity to appear before you today and to share some of my experiences and insights during my tenure. I would like to spend the preponderance of my time to comment on the Title I of your draft bill entitle "The National Biodefense Enterprise."

First, I would like to acknowledge and compliment you Mr. Chairman, Members of your Committee and staff on this bill. It represents another important step forward that the Nation should take to better prepare for an uncertain future. The recent announcement of Dr. Ayman al-Zawahiri as the replacement to Osama Bin Laden, by all accounts a less than mediocre leader at best but one who has and likely still aspires to attack the United States with anthrax.

I would also like to take the opportunity to acknowledge the important contributions made by Senators Graham and Talent in the course of their leadership of the WMD Commission. I applaud their continued leadership and commitment in establishing the WMD Center and look forward to their evaluation of our bioterrorism preparedness efforts this fall.

If there is a theme to my opening remarks, it is about leadership. This Committee has demonstrated it with this and other hearings and the draft bill that seeks to improve our Nation's preparedness. Two former Senators have displayed it with their successive reports and their commitment to produce a preparedness report card. And hopefully the Zawahiri tenure as leader will not only be short lived, literally and figuratively, but be the last leader for Al Qaeda.

Regretfully, I was a last too. I was the last White House Special Assistant fully devoted to addressing the biodefense challenge. The position I held was eliminated during the transition from President Bush to Obama. This is not the first time a position of this type was eliminated. During the transition from President Bill Clinton to George W. Bush, the position that Admiral Ken Bernard held was eliminated from the National Security Council. I am convinced that the

decision to eliminate a senior political White House position devoted to health security was not a partisan decision. It was reversed following the 9-11 attacks and the anthrax letter mailings. It does however, reflect that we have not quite yet achieved the maturity in our national security thinking to embrace the notion that certain health security issues rise to the level of being a first order national security priority. It also clearly demonstrates that today, the threat of a biological Hiroshima is not viewed with the same concern and urgency as the potential for nuclear one. But if you believe Senators Graham and Talent, it may be the catastrophe more likely to happen.

Of the number of issues addressed in your bill, there is no more important one than the issue of leadership. The individual whose day in day out responsibility is to think about this problem and ensure that the US Government is taking all necessary steps to either prevent a bioterrorist attack from happening; and if one should, making sure all the resources available can be mobilized quickly enough to mitigate needless morbidity and mortality. I have stated before that second only to defending the U.S. Constitution, protecting and saving American lives is the sacred duty of all those who serve in government.

It is certainly disappointing that despite the dangers cited by Senators Graham and Talent, no senior political White House official currently has the title or the sole duty to address the problem posed by biological weapons. To the credit of the Obama Administration when confronted by the H1N1 pandemic, they were able to mobilize a number of career civil service and military detailees that helped guide the Administration through the early days and weeks of that event. Those individuals from the Departments of Veteran Affairs (VA), Defense (DoD), Homeland Security (DHS), and Health and Human Services (HHS) performed magnificently and were appropriately recognized for their contributions. The current Deputy Homeland Security Advisor under John Brennan has demonstrated a deep understanding and personal commitment to the biodefense problem and has worked it tirelessly but frankly is only human and has a number of other important issues to manage day to day.

The real value of a senior political advisee for biodefense is not realized during an emergency. His or her contributions are made in small yet significant ways that are not likely apparent to outsiders. It is chairing meetings to update biodefense strategies, review plans and resolve gaps or disputes among Federal Departments and Agencies. It is attending internal White House meetings concerning budgets, ensuring that key elements of the President's biodefense priorities are recognized and preserved. I have one anecdote to share from my tenure. While I was meeting with the senior political appointee who oversaw of the US Government spending for civilian biodefense in the Office of Management and Budget (OMB) Health Programs office, I learned that he did not have a security clearance to read the periodic intelligence reports or attend briefings where classified information about the subject was discussed. Biodefense was only a very small part of his enormous responsibilities and budgets for Medicare, Medicaid and Social Security. But it is the one part of his portfolio that had to do with national security and he had no insight into the threats he was responsible to mitigate. I helped him justify the need for a security clearance so he could hear and understand the nature of the bioterrorism threat. To the point, I served as the issue advocate within the White House. I was senior enough to be invited to the important meetings that detailees don't normally attend and I could raise the issue or a stink about the issue if I felt the President's agenda or interests were somehow being marginalized. I saw my role to educate, advocate and coordinate among the White House offices

as well as the Federal interagency. My job was keeping my eye on the biodefense "ball" 24-7. Without such person, it is likely the issue will not necessarily be routinely discussed or considered.

Therefore, it is appropriate for Congress to request the Administration to request a National Biodefense Plan. Between the Bush and Obama Administrations there have been a number of well considered and crafted policies pertaining to biodefense. If policies would solve the problem, we would be more than half way there. But the devil is in the details. In 2004, Homeland Security Presidential Decision (HSPD) 10 roughly outlined a number of steps that Federal Departments and Agencies should take. However those actions should be reviewed and refreshed. The good news is that there has been progress across biodefense domain, but I do not believe, nor does anyone who has followed this issue believe; we have done enough and are prepared. The excellent National Pandemic Influenza Implementation Plan serves as a useful model to look to for a future National Biodefense Plan.

I certainly endorse the need for better visibility across the biodefense investments that are being made in related programs across the Federal Government. We have invested over \$50 billion dollars and there are legitimate questions as to whether we spent too much in certain areas or overlooked others. Getting better insight into how we spending these dollars, particularly in light of the severe Federal deficit we are facing, is not only prudent but an imperative. Any money that we can save can surely be put toward a gap that exists in our current efforts. One area that deserves special attention in such an analysis is whether we are adequately resourcing efforts to remediate and recover from a biological attack. In the course of natural evolution of considering our preparedness and response to such an event, we have appropriately initially focused on the life saving measures that must be taken. I am afraid not enough consideration has been given to the cost of clean up. As witnessed during the 2001 anthrax letter attacks, cleaning a couple of buildings cost over a billion dollars. The cost of cleaning a city or subway system following a large scale anthrax release is mind boggling. It is not clear that we know the costs of environmental cleanup or even how to do it.

I would like to make special mention about the provision in your bill devoted to biosurveillance. I can not think of any one issue that we as a federal government have worked harder on than biosurveillance. It is critical element in our biodefense strategy: to warn of an impending pandemic, or detect a biological attack and guide our responses to both. I admit that we have not achieved our objective of collecting human, animal and environmental health data, analyzing and sharing it with all the responsible stakeholders at the local, state and federal level.

To say it is still a "work in progress" is an understatement. While there are a number of Department and sector specific biosurveillance strategies, there is yet no comprehensive plan to knit them together into a national plan. I am heartened to know that there is now a Department of Defense detailee working on the White House National Security Staff whose full time duty is addressing the biosurveillance issue. I think the draft bill's provision asking a National Biosurveillance Implementation Plan is needed and frankly overdue. Hopefully, the process to develop a plan will resolve the issues surrounding the National Biosurveillance Integration Center (NBIC) at DHS. Originally conceived to take all-source surveillance information concerning humans, animals, plants, and environment and develop a common operating picture or situational awareness that is shared with all federal, state and local stakeholders; it has not yet

met this objective. The concern I have is “throwing the baby out with the bath water” that by doing away with NBIC, we fail to preserve the essential function it was created to perform.

There are several other provisions included in your draft bill that deserve mention and support. Related to biosurveillance and specifically within your Committee's jurisdiction is biodetection. Having been involved with the creation of the BioWatch Program now managed by the Office of Health Affairs in the Department of Homeland Security, I have watched with some concern about the receding tide of support and investment of this program. The current capabilities of the BioWatch system today in terms of timeliness and coverage are not optimal by any means. This was recognized when the program was conceived and deployed. The initial system, however, has served two incredibly important functions. First, it became a test bed for gaining experience and confidence in domestic environmental detection and improved local laboratory capabilities. There have been a number of environmental positives that demonstrate the sensitivity of the laboratory analyses. With that experience, the system and the protocols supporting it have been refined over time. Second, it has enlisted the public health, medical and emergency management to work together to consider the challenge and opportunities to recognize a potentially devastating public health event. This evolution has not come easily. It has resulted from the dedication of DHS, CDC and EPA civil servants working side by side with their state and local counterparts. Environmental detection alone is not sufficient to address the risks from biological attacks, clinical diagnosis and laboratory confirmatory testing are critical adjuncts. I hope that as further time passes, the need to improve clinical laboratory diagnostics is viewed as a compliment rather than a competitor to the requirement for near-real time environmental detection.

I also want to mention and endorse the Committee's view on pre-event vaccination, particularly with the currently available FDA approved anthrax vaccine. There is little dispute within the Intelligence Community that the greatest concern today is the risk from an anthrax attack. The Department of Defense has judged the risk so serious that military personnel are immunized against anthrax before deploying to Iraq, Afghanistan and South Korea. It would seem similarly prudent to consider offering the same vaccine to domestic Federal, state and local responders who may be at increased risk of exposure based on their occupation and the major metropolitan area they live. It is generally the judgment of those who have considered the likely evolution of a large scale anthrax attack that time is of the essence. It would be extraordinarily beneficial to have confidence that critical responders such as police, fire, health care and yes even postal workers who we may need to count on to save the lives of others would be afforded the same protection afforded to our troops.

I would like to point out that there should be an additional provision in your bill that is not in the draft that I reviewed for this hearing. One of the most undervalued and appreciated group of first responders that I know of, besides US postal workers, are our emergency medical service (EMS) workers. They are the critical link between the incident where the attack, disaster or accident happened and the medical system. They suffer in the federal grant programs, depending on their jurisdiction, being neither fish nor fowl: not recognized as being a traditional police or fire first responder. They are also not necessarily included for funding in the hospital preparedness grant programs. I would suggest to you that considering how best to optimize this group of "force multipliers" is not only over due but essential in any legislation you consider.

Finally, I would like to close by simply saying that so far, the U.S. has not experience the true nature a biological attack. According to President Obama's Presidential Policy Directive Two, a single unmitigated biological attack could place at risk potentially hundreds of thousands of deaths and cost the nation over a trillion dollars. The letter attacks experienced in 2001 were just a small indication about the potential power of these weapons. I believe we, as a government, do a bad job predicting the next disaster. The national security challenges we face are unpredictable and require a robustness and flexibility in capabilities that we have yet attained. I see your bill as helping build that capacity and resilience and look forward to supporting your efforts in the future. Thank you.